

Applicant : Hubert Köster, Ph.D. *et al.*  
Serial No. : 10/760,085  
Filed : January 16, 2004

Attorney's Docket No.: 17111-009001 / 2309  
Preliminary Amendment

### REMARKS

Because this Preliminary Amendment is filed before receipt of a First Office Action on the merits for the above-captioned application, no fee for filing this statement is due. Any fees that may be due in connection with the filing of this paper or with this application may be charged to Deposit Account No. 06-1050.

Claims 1, 2, 5, 6, 10, 15, 17, 18, 22, 25, 34, 38, 43, 44, 46, 47, 55, 56, 63, 66-68, 75, 77-79, 81, 82, 95-97, 99, 101, 102, 106, 107, 110, 116, 118, 120, 127, 128, 130-134, 137, 139, 140, 143-147, 150-153, 155-161, 163, 164 and 166-173 are pending. Claims 3, 4, 7-9, 11-14, 16, 19-21, 23, 24, 26-33, 35-37, 39-42, 45, 48-54, 57-62, 64, 65, 69-74, 76, 80, 83-94, 98, 100, 103-105, 108, 109, 111-115, 117, 119, 121-126, 129, 135, 136, 138, 141, 142, 148, 149, 154, 162 and 165 are cancelled herein without prejudice or disclaimer. Applicant reserves the right to file continuation application(s) to the cancelled subject matter.

Claims 1, 5, 15, 17, 18, 22, 34, 43, 44, 47, 55, 63, 67, 68, 75, 77-79, 81, 82, 107, 110, 116, 120, 127, 128, 131-134, 137, 143, 144, 150-153, 155-157, 159, 160, 161 163, 167 and 168 are amended herein. New claims 169-173 are added herein.

Claim 1 is amended herein to incorporate the limitations of claims 3, 4 and 19, which are cancelled herein. Claim 1 is further amended for clarity. Claim 5 is amended to more distinctly claim the subject matter. Claims 15, 17, 18 and 150, which depend from claim 1, are amended herein to remove limitations incorporated into claim 1 herein. Claims 22 and 166 are amended herein to correct dependency and to correct minor typographical or formatting errors. Claims 34, 82, 107, 128 and 137 are amended herein to correct minor typographical or formatting errors. Claims 43, 44, 47, 55, 63, 67, 68, 127, 134, 15-157, 159, 161 and 167 are amended for clarity and to more distinctly claim the subject matter. Claims 75, 77-79, 120, 144, 151, 163 and 168 are amended to correct dependency. Claim 81 is amended to correct minor typographical errors and for clarity by replacing the recitation "wherein R<sup>15</sup> as described above" with the list of substituents for R<sup>15</sup>. Basis for the amendment is found throughout the specification (for example, see original claim 42 and page 69, line 3 through page 70, line 1). Claims 110, 116, 143, 152 and 160 are amended to correct dependency and to more distinctly claim the subject matter. Claims 131 and 132 are amended herein to more distinctly claim the subject matter by clarifying the structure of the capture compounds. Basis for the amendment is found throughout

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the specification (for example, see original claims 2, 3 and 19). Claim 133 is amended to more distinctly claim the subject matter. Basis for the amendment is found throughout the specification (e.g., see claim 134). Claim 161 is amended to replace "Kd" with "dissociation constant (Kd)" to improve clarity. No new matter is added.

Basis for added claim 169 is found throughout the specification (e.g., see page 47, lines 24-28). Basis for added claim 170 is found throughout the specification (e.g., see page 138, lines 25-28). Basis for added claims 171 and 172 is found throughout the specification (e.g., see page 110, lines 22-28). Basis for added claim 173 is found throughout the specification (e.g., see page 101, line 24 through page 107, line 1). No new matter is added.

The specification is amended herein to correct minor typographical or formatting errors. No new matter is added.

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Entry of this amendment and examination of the application are respectfully requested.

Respectfully submitted,

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Attorney Docket No. 17111-009001 / 2309

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